

# Keeping Your Comprehensive Plan and Development Regulations Current

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## *A Guide to the Periodic Update Process under the Growth Management Act*

Prepared by the Washington State Department of Commerce  
Local Government Division  
Growth Management Services  
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## Acronyms and terms used in this guide

**CAO** - Critical Areas Ordinance

**CARL** – Critical Areas and Resource Lands

**Commerce** – Washington State Department of Commerce (*previously named the Department of Community, Trade and Economic Development or CTED prior to July 2009*)

**Comprehensive plan** - land use document that provides the framework and policy direction to manage where and how growth needs are met. Plan elements address land use, housing, capital facilities, utilities, rural/natural resources, transportation, economic development, environment, cultural resources, and other topics.

**Development regulations** - controls placed on development or land use activities by a county or city, such as codes for zoning, critical areas, planned unit developments, and subdivisions.

**GMA** – Growth Management Act, Chapter 36.70A, RCW

**GMS** – Growth Management Services, a unit in the Department of Commerce, Local Government Division that helps counties and cities implement the GMA.

**OFM** – Washington State Office of Financial Management

**Periodic update** – A regularly scheduled review and update of county and city comprehensive plans and development regulations. For most communities, the update takes place every seven years under a schedule established by the Legislature in the GMA. This is sometimes referred to as a “seven-year update” because most jurisdictions need to update every seven years.

**RCW** – Revised Code of Washington (laws adopted by the state Legislature)

**UGA** – Urban Growth Area

**WAC** – Washington Administrative Code (rules adopted by state agencies)

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## I. Introduction

The comprehensive plan is the centerpiece of local planning in Washington State. Like business plans, comprehensive plans provide the framework for how our communities will grow. And like business plans, they must evolve over time to be effective.

Many communities amend their comprehensive plan annually and regularly adopt changes to the development regulations that implement them. In addition to these regular amendments, the state Growth Management Act (GMA) requires counties and cities to periodically conduct a thorough review of their plan and regulations to bring them up to date with any relevant changes in the GMA and to respond to changes in land use and population growth.<sup>1</sup> This mandatory “periodic update” takes place for most communities at least once every seven years, though smaller, slower-growing communities may take longer.

This guide explains when and how to go through the necessary steps in the periodic update process. The level of effort and timing of the update steps will vary depending on how recently your community has comprehensively updated its plan, the size of your community, and other factors.

This guide is intended as a user-friendly supplement to the GMA statutes and administrative rules that describe procedures that must be followed and substantive issues that must be addressed. This guide may not be able to answer all your questions about the periodic update - the Washington Department of Commerce, Growth Management Services program may be able to help. Please see Appendix A for contact information or call (360) 725-3000.

### ***Why we plan***

*“...all of us know that quality of life is not guaranteed. We maintain it through the hard work of our citizens, our businesses, and our state and local-elected officials who make the tough decisions every day to ensure that we have a healthy, natural environment, a strong, sustainable economy, competitive, high-performing schools, and safe and high-quality communities for all of us to enjoy.*

*All of this makes Washington competitive in the global economy. And if we eliminate even one of these regional values, we diminish ourselves and our communities.*

*Comprehensive plans give expression to the values and priorities of our communities. These plans provide a 20-to-50-year vision—a roadmap for how our communities want to look and to function. For rural towns, it may be to preserve and sustain their agricultural heritage, for another, prioritizing downtown redevelopment. It all adds up to a shared vision, tough decisions, and partnerships.”*

*- Governor Chris Gregoire,  
announcing Smart Communities  
Awards, 2007*

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<sup>1</sup> The GMA is codified under RCW 36.70A. The “periodic update” requirements are found in [RCW 36.70A.130](#)

## Who must complete the periodic update?

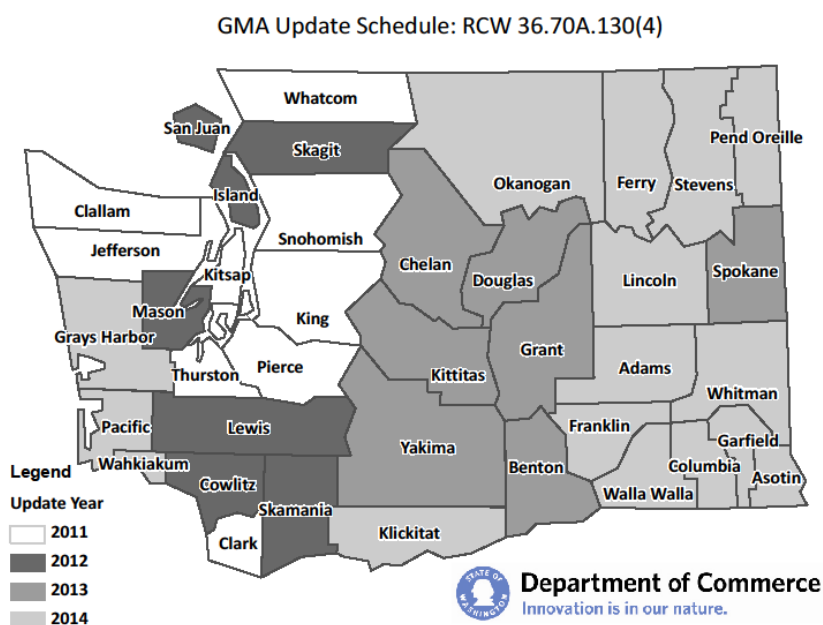
Every county and city in the state is required to conduct a periodic update, though the obligation varies depending on whether the jurisdiction is fully or partially planning<sup>2</sup> (see sidebar).

**Fully planning** counties and cities must complete the periodic update for their entire comprehensive plan and development regulations.

**Partially planning** counties are required to periodically update their critical areas ordinance and resource lands provisions. Partially planning cities usually have no designated resource lands, so their periodic update is usually limited to their critical areas ordinance.

## When is the update due?

Under the GMA, the Legislature established a schedule for when the periodic update is required to be complete.<sup>3</sup> Except for certain small, slow-growing communities, each county and its cities must complete the periodic update by December 1 of the years shown in Figure 1, and every seven years after that.



### **“Fully” or “partially” planning”**

**“Fully planning”** means that a city or county must meet all GMA requirements, including adoption of a comprehensive plan and a complete set of development regulations implementing the plan. Only the state’s fastest growing counties and cities are required to plan fully, though a number of counties have “opted-in” by choice.

**“Partially planning”** jurisdictions are the counties - and the cities within their boundaries - that do not meet GMA population and growth rate thresholds and have not chosen to fully plan under the Act. Partially planning counties are required to designate and protect critical areas and designate resource lands (CARL). Partially planning cities must designate and protect critical areas, and may designate mineral resource lands. Currently there are ten partially planning counties: Adams, Asotin, Cowlitz, Grays Harbor, Klickitat, Lincoln, Okanogan, Skamania, Wahkiakum, and Whitman Counties.

Figure1: GMA Update Deadlines (without extensions)

<sup>2</sup> Statute describing fully planning: [RCW 36.70A.040\(1\)](#); Statute describing “opting in”: [RCW 36.70A.040\(2\)](#)

<sup>3</sup> [RCW 36.70A.130\(4\)](#)

Certain smaller, slower-growing jurisdictions counties and cities may take up to an additional three years to complete the update (see sidebar).<sup>4</sup>

Jurisdictions that qualified for the three-year extension are required to complete their *next* update seven years from the date of their extended deadline (provided the jurisdiction still qualifies for the extension on the date of their original deadline). For example, a qualifying jurisdiction with an original update deadline of December 1, 2005 would have had an extended deadline of December 1, 2008. Their next update would be due December 1, 2015, if they qualify again for the extension.<sup>5</sup>

**Table 1: Update schedule for smaller, slower-growing communities**

Original update deadline	First “extension” deadline (+ 3 years from original)	Second update deadline for re-qualifying communities (+ 7 years from first extension)
2005	2008	2015
2006	2009	2016
2007	2010	2017

*Note: All deadlines are December 1.*

### **Who is eligible for the 3-year extension?**

A **county** is eligible if it has a population of no more than 50,000 and a growth rate of less than 17%.

A **city** is eligible if it has a population of less than 5,000, and either a growth rate of no more than 17% or a total population growth of less than 100 persons.

**Growth rates** are measured using the ten-year period preceding the regular due date.

If a city or county qualifies for the extension on the statutory due date, they remain eligible for the entire three-year extension period.

See RCW 36.70A.130(5)(b) & (c)

## **May a jurisdiction complete the update early?**

A jurisdiction may complete the periodic update process before its deadline.<sup>6</sup> The deadline for its next periodic update would still remain seven years from the original deadline established in the GMA. For example, if a jurisdiction has an update deadline on December 1, 2011, but it completes its update in 2010, then it would still not be subject to another update until 2018.

<sup>4</sup> [RCW 36.70A.130\(5\)\(c\)](#)

<sup>5</sup> A jurisdiction would have to meet the criteria as of its original schedule deadline. For example, a jurisdiction with a 2008 “extension deadline” would need to meet the criteria as of December 1, 2012. A jurisdiction should determine whether it qualifies for the three-year extension prior to its regularly scheduled update deadline, because if it fails to qualify for the extension, the update will be due on that originally scheduled date.

<sup>6</sup> [RCW 36.70A.130\(5\)\(a\)](#)

## II. The review and update process

There are four overall tasks counties and cities must take during the periodic update process. Tips for completing each of these tasks are included in the following sections.

<b>1. Establish a public participation program</b>	<b>2. Review relevant plans and regulations</b>	<b>3. Take legislative action.</b>	<b>4. Submit notice to state</b>
Develop a plan that includes a schedule for steps in the update process to ensure the public is aware of the process and knows how they can participate.	Evaluate whether there is a need to revise the comprehensive plan and development regulations to ensure they are consistent with the GMA.	Adopt an ordinance or resolution finding that a review has occurred, and identifying revisions made or concluding that revisions were not needed.	Send formal notice of intent to adopt to the state at least 60 days prior to taking legislative action, and 10 days after final action.

Before undertaking the update it is helpful for county or city staff to establish a **work program** that outlines the entire periodic update process. See sample work program in Appendix B.

### 1. Establish a public participation program

Counties and cities are required to establish a program that identifies procedures and schedules for the public to participate in the periodic update.<sup>7</sup> The program must provide for **early and continuous public participation**.<sup>8</sup> The program should clearly identify the scope of the review and identify when legislative action on the review and update component are proposed to occur. Counties and cities must ensure that **notice** of the update process is broadly and effectively disseminated.<sup>9</sup> See Appendix C for examples of public participation programs.

The best way for a county or city to complete this requirement is to publish a complete public participation program or schedule at the beginning of the update process. However, it is not required that a county or city establish the entire schedule at the beginning of the process, as long as a program is established and effective notice is provided for all update steps.

Local jurisdictions may want to formally adopt the public participation program by resolution or ordinance to formalize the update process and help to meet the GMA requirements for early and continuous public involvement. See sample ordinances in Appendix C.

A public participation plan can be adjusted over time if needed. The GMA provides that “errors in exact compliance with the established program and procedures shall not render the

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<sup>7</sup> [RCW 36.70A.130\(2\)\(a\)](#)

<sup>8</sup> [RCW 36.70A.140](#)

<sup>9</sup> [RCW 36.70A.035](#)

comprehensive land use plan or development regulations invalid if the spirit of the program and procedures is observed.”<sup>10</sup>

## 2. Review and revise comprehensive plans and development regulations

The Department of Commerce periodic update **checklists** should be the foundation of your review. These checklists (one for cities, one for counties) provide a concise summary of the GMA requirements. Expanded checklists are also available (one for comprehensive plans and one for development regulations), which include requirements and recommendations. See Appendix D.

Filling out the checklists will help compare your local plan and regulations against the latest requirements, determine what needs to be reviewed in greater detail, and what may need to be added, deleted, and amended in plans and codes to maintain compliance with the act.<sup>11</sup>

Commerce **strongly recommends** use of the checklists in designing your work program to complete the periodic update.

Counties and cities may elect to adopt an ordinance or resolution after reviewing and analyzing what will be updated and determining the scope of changes needed. This is a formal way to let the public know early “what is on the table” as part of the update. It also may help to limit appeals. If there are no challenges to the scope of revisions within 60 days after the legislative action, challenges to the jurisdiction’s final ordinance will be limited to the subjects defined in the ordinance. See sample legislative actions establishing the scope of an update in Appendix C.

The statute does not exempt any portion of a comprehensive plan or any development regulations from being subject to review and evaluation. However, local governments may use common-sense factors in determining the *level* of review, taking into account when the plan and regulations were adopted and whether and how the GMA has been amended in the intervening time.

### **GMA periodic update:**

#### **Fully planning:**

*“Each comprehensive land use plan and development regulations shall be subject to **continuing review and evaluation** by the county or city that adopted them. [A] county or city shall take legislative action to **review and, if needed, revise** its comprehensive land use plan and development regulations **to ensure the plan and regulations comply** with [GMA] requirements.”*

#### **Partially planning:**

*[A] county or city not [fully-planning under GMA] shall take action to **review and, if needed, revise** its policies and development regulations regarding **critical areas and natural resource lands ... to ensure these policies and regulations comply** with [GMA] requirements ....”*

*- RCW 36.70A.130(1)(a & b)*

<sup>10</sup> [RCW 36.70A.140](#)

<sup>11</sup> Commerce encourages local governments to complete the appropriate checklist(s) as part of the application to receive periodic update funds from GMS. The checklist can also be used at the very end of the update process to document what changes are proposed for adoption.



## Mandatory items to review and revise (if needed)

The GMA calls out a number of specific items that **must** be reviewed as part of the periodic update.

### *Amendments to the GMA*

The primary purpose of the periodic update is to ensure local plans and regulations comply with all current requirements. Although the basic structure of the GMA has remained intact over the years, the state legislature has amended it frequently. The checklists highlight all requirements and indicate when the changes were adopted. In addition to the checklists, Commerce has prepared a summary of these amendments by year to help you zero in on what needs to be amended, based on when your plans and regulations were last amended. See Appendix E.

Partially planning jurisdictions only need to review and evaluate their policies and development regulations governing critical areas and natural resource lands. Fully planning jurisdictions will need to conduct a review and evaluation of all comprehensive plan provisions and development regulations.

### *Critical areas ordinances*

One of the initial requirements of the GMA was to designate and protect critical areas. The GMA requires all counties and cities to review and evaluate these critical areas ordinances during the periodic update.<sup>12</sup> The GMA requires that “best available science” (BAS) be included in developing regulations to protect critical area functions and values. Meeting the BAS requirement was challenging for many jurisdictions in the initial round of periodic updates. The Department of Commerce and other state agencies, including the departments of Ecology and Fish and Wildlife, have published guidance for local communities on how to identify what constitutes BAS for critical areas protection and how local governments can include science in their policies and development regulations. These include model ordinances and lists of recommended habitats and species for protection. Counties and cities should consult these state agency recommendations for possible changes since their last periodic update. See Appendix F. In addition, they should include any other scientific information that may apply directly to their jurisdiction.

### *Mineral resource lands designations and development regulations*

Another significant requirement of the initial GMA was for all counties and cities to designate mineral lands that are not already characterized by urban growth and that have long-term significance for the extraction of minerals. Fully planning jurisdictions were also required to adopt regulations that conserve these lands.<sup>13</sup> The GMA requires that all jurisdictions review these mineral resource lands designations and requires fully planning jurisdictions to review their regulations. Counties and cities “shall take into consideration: (1) New information made available since the adoption or last review of its designations or development regulations, including data available from the Department of Natural Resources relating to mineral resource

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<sup>12</sup> [RCW 36.70A.130\(1\)\(c\)](#) , [RCW 36.70A.172\(1\)](#)

<sup>13</sup> [RCW 36.70A.170](#); [RCW 36.70A.040](#) and [36.70A.060](#)

deposits; and (2) New or modified model development regulations for mineral resource lands prepared by the Department of Natural Resources, the Department of [Commerce], or the Washington State Association of Counties.”<sup>14</sup> See Appendix G.

### ***UGAs and population projections***

Urban growth areas (UGAs), which by definition include all cities, must allow development densities sufficient to accommodate the next twenty years of projected population and employment growth. If zoning regulations don’t authorize the densities to accommodate this growth, jurisdictions need to increase allowed densities, expand the size of the UGA, or both.

All fully planning counties, in conjunction with cities, must review UGAs at least every ten years.<sup>15</sup> The GMA notes that this “ten-year” review may be combined with the periodic update, although it does not require it.<sup>16</sup> Unlike the periodic update, which has a specific deadline for each jurisdiction in statute, the ten-year period starts from the last UGA review action, so the date varies considerably among jurisdictions.

Even if a jurisdiction doesn’t combine its periodic (“seven-year”) update with its ten-year UGA update, the GMA calls for at least a review of the most recent population projections.<sup>17</sup> This review will help jurisdictions see if they are on track with growth projections from the last update and help determine if adjustments are needed. For example, if growth has occurred much faster than anticipated, it may suggest changes are needed to the Housing or Capital Facility elements.

The GMA requires that jurisdictions use population projections from the Washington State Office of Financial Management (OFM). These projections are developed every five years.<sup>18</sup> The most recent twenty-year population forecast from OFM was issued in 2007;<sup>19</sup> the next one will be issued in 2012.

Any changes to UGAs must be consistent with adopted “County-Wide Planning Policies.” The policies, adopted by counties, set the general framework for coordinated land use planning between the county and its cities to ensure respective comprehensive plans are consistent with

### ***Multi-County Planning Policies in Central Puget Sound***

*The [Puget Sound Regional Council \(PSRC\)](#) adopted new multi-county planning policies (MPPs) in 2008 as part of Vision 2040. These policies apply to King, Kitsap, Pierce, and Snohomish counties and the cities within them.*

*To implement the MPPs, these counties are amending their county-wide planning policies (CWPPs) by December 2010. Jurisdictions in those counties must ensure their comprehensive plans are consistent with both the MPPs and CWPPs.*

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<sup>14</sup> [RCW 36.70A.131](#)

<sup>15</sup> [RCW 36.70A.130\(3\)\(a\)](#)

<sup>16</sup> [RCW 36.70A.130\(1\)\(c\)](#)

<sup>17</sup> [RCW 36.70A.130\(1\)\(c\)](#)

<sup>18</sup> [RCW 43.62.035](#)

<sup>19</sup> <http://www.ofm.wa.gov/pop/gma/default.asp>

each other. Although it is not required, counties and cities may want to review these policies as part of their periodic update, especially if they combine it with their ten-year UGA update.

### **Recommended items to review and revise (if needed)**

Counties and cities should consider addressing the following in their periodic update.

#### *Land use element*

The Land Use Element describes the “big picture” of how a community chooses to balance the goals of the GMA. Key components of the land use plan are maps showing the future shape of the community and how its essential components will be distributed. Resource lands, critical areas, open space corridors, residential, commercial, industrial, and major public and private facilities should all be addressed. Because the Land Use Element is tied to other elements in the comprehensive plan, many periodic updates include amendments to the Land Use Element. Recent amendments to the GMA now require communities to consider urban planning approaches that promote physical activity as part of the land use element wherever possible.<sup>20</sup>

#### *Capital facilities and transportation elements*

When a community is planning for population increases, this usually triggers the need for more infrastructure, such as roads, sewer and water facilities. Changes in anticipated circumstances and needs may be addressed by updating the Transportation Element and six-year Capital Facilities Element.<sup>21</sup> This task requires that planning departments collaborate closely with public works staff or other service providers. Note that if as part of your evaluation you determine that funds will fall short for needed capital facilities, your community may need to consider changes to the Land Use Element.

#### *Internal and external consistency*

Whenever a plan is being amended it is important to verify that it is “internally consistent” (e.g., that the Land Use and Transportation elements support each other) and that the development regulations are consistent with and implement the comprehensive plan.<sup>22</sup> Also verify that the comprehensive plan is “externally consistent,” as changes to comprehensive plans and development regulations in adjacent jurisdictions, special purpose districts, or state plans may create an inconsistency with the county or city's comprehensive plan or development regulations.

#### *Inventories*

Counties and cities should review existing inventories and analyze new inventory data that supports the comprehensive plan. The GMA specifically requires the following:

**Housing:** Inventory and analyze existing and projected housing needs, identifying the number of housing units necessary to manage project growth.<sup>23</sup>

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<sup>20</sup> [RCW 36.70A.070\(1\)](#)

<sup>21</sup> [RCW 36.70A.070\(3\)](#)

<sup>22</sup> The GMA requires this consistency in RCWs [36.70A.040\(4\)](#) and [36.70A.070](#)

<sup>23</sup> [RCW 36.70A.070\(2\)](#)

**Capital Facilities:** Inventory existing capital facilities owned by public entities, showing the locations and capacities of the capital facilities, and forecast future needs and proposed locations and capacities of expanded or new facilities.<sup>24</sup>

**Transportation:** An inventory of air, water and ground transportation facilities and services, including transit alignments and general aviation airport facilities, to define existing capital facilities and travel levels and a basis for future planning. This inventory must include state-owned transportation facilities within the city or county boundaries.<sup>25</sup>

Jurisdictions should also review basic assumptions underlying key calculations and conclusions in the existing comprehensive plan. If recent data demonstrates that existing assumptions are no longer appropriate for the remainder of the twenty-year plan, counties and cities should consider updating them as part of the periodic update, or the ten-year UGA update. Counties and cities required to establish a review and evaluation program under the “buildable lands program” should use that information in the periodic update.<sup>26</sup> The GMA now requires Transportation Elements to include a pedestrian and bicycle component. Jurisdictions may also consider including multimodal transportation strategies concurrent with development. See Appendix I.

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***Legislative action:***

*“Legislative action means the adoption of a resolution or ordinance following notice and a public hearing indicating at a minimum, a finding that a review and evaluation has occurred and identifying the revisions made, or that a revision was not needed and the reasons therefore.”*

*- RCW 36.70A.130(1)(b)*

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### ***Other considerations***

In determining the scope of review, counties and cities should incorporate any relevant ruling from a court of law or growth management hearings board, or a finding of noncompliance with the GMA into its analysis. Jurisdictions should also consider any comment letters from Commerce or other state agencies, as well as comments from the public, regarding consistency of a jurisdiction’s plan and development regulations with the GMA.

## **3. Take legislative action**

“Legislative action” under the GMA means adoption of a resolution or ordinance by elected officials (city or county council/commission) indicating that the community has reviewed and evaluated the comprehensive plan and regulations and identifying the revisions made. Counties and cities must provide adequate notice and hold a public hearing before taking action.

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<sup>24</sup> [RCW 36.70A.070\(3\)](#)

<sup>25</sup> [RCW 36.70A.070\(6\)](#)

<sup>26</sup> [RCW 36.70A.215](#)

A county or city may combine the periodic update with their regular (*e.g., annual*) program for amendments to their plan, since the GMA generally prohibits comprehensive plan amendments more frequently than once per year.<sup>27</sup>

The final legislative action will be to adopt any revisions to the comprehensive plan and/or development regulations, and conclude that the periodic update is complete. The ordinance or resolution must be explicitly approved by the local government's legislative body as having been completed in accordance with GMA update requirements (citing specifically to RCW 36.70A.130), both to comply with the statute and to set time and subject matter limits for possible challenges. The resolution or ordinance should include findings that refer to any previous legislative actions that were part of the periodic update (*e.g., resolutions adopting a public participation plan*), and a finding that the jurisdiction has completed its periodic update requirement under the GMA.

If a city or county finds that it completely meets all GMA requirements and no amendments to the comprehensive plan or development regulations are needed, it must still take legislative action adopting findings to that effect. See sample final legislative actions in Appendix C.

### ***Phasing legislative action***

If a jurisdiction has significant amendments to their plans and regulations, it may be necessary to complete the amendments in several phases, perhaps over more than one year. In some cases, each of these amendments will be adopted through a separate ordinance or resolution by the jurisdiction's legislative body. If this process is used, a public hearing should be conducted on each ordinance or resolution. It should be clearly identified in the public hearing notice and in the findings of each ordinance or resolution that the amendments are part of the periodic update process. Commerce recommends that the final legislative action taken upon completion of the entire periodic update process clearly references all previously adopted amendments, and includes a finding that, taken all together, these actions fulfill the requirements of the periodic update.

## **4. Submit notice to state agencies**

### ***Send Notice of Intent to Adopt (at least 60 days before adoption)***

Under the GMA, cities and counties must notify Commerce of its "intent to adopt" plan or regulations at least sixty (60) days prior to final adoption.<sup>28</sup> This step is often referred to as "60-day notice."<sup>29</sup> Commerce adds all submitted notices and materials to a database that all reviewing state agencies can access. Agencies may provide comments to the city or county on the proposed changes during the public review process prior to adoption.

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<sup>27</sup> [RCW 36.70A.130\(2\)\(a\)](#)

<sup>28</sup> [RCW 36.70A.106\(1\)](#)

<sup>29</sup> Some cities and counties combine this notice with their notice of determination required under the [State Environmental Policy Act](#)

## Send final plans and development regulations (10 days after adoption)

Cities and counties must submit a complete and accurate copy of its comprehensive plan or development regulations adopted under the GMA to Commerce within ten days after final adoption.<sup>30</sup> A copy of the adopting resolution or ordinance should be included, as well as indication of when the notice of adoption was published.

This is an important step as it not only finalizes the periodic update, but it also allows Commerce to update our database to signify that a specific jurisdiction has completed the periodic update. Commerce relies on this database when asked to verify that a jurisdiction is in compliance with the GMA.

## How to submit plans and regulations

Submitting GMA materials to the state is as easy as sending one e-mail with a cover sheet and relevant documents to [reviewteam@commerce.wa.gov](mailto:reviewteam@commerce.wa.gov). Directions are on the [Commerce Website](#). While electronic submittal is preferred, you may send materials by mail, either on a compact disc or paper, addressed to the Washington State Department of Commerce, Growth Management Services Review Team, PO Box 42525, 906 Columbia Street SW – 3<sup>rd</sup> Floor, Olympia, WA 98504-2525.

## III. Missed deadlines and appeals

Missing the periodic update deadline has immediate financial consequences. A county or city that has not completed the basic actions described above by the deadline set in the GMA will be ineligible to receive funds from the Public Works Trust Fund<sup>31</sup> or the Centennial Clean Water account<sup>32</sup> or to receive preference for other state grants and loans.<sup>33</sup>

A jurisdiction that has missed an update deadline is also vulnerable to a “failure to act” petition for review to a Growth Management Hearings Board (or for partially-planning jurisdictions, to Superior Court).

If a local government has made significant progress on its update, but hasn’t finished all needed revisions by their periodic update deadline, it would be prudent to take steps to demonstrate good faith and progress. Local jurisdictions may adopt a resolution that documents progress already made and sets a schedule for completing the update. See Appendix C for an example. While this will not relieve a local government of its update requirements, or make a local government eligible for state grants and loans, it may prevent a “failure-to-act” challenge, provided the update is completed under the new schedule.

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<sup>30</sup> [RCW 36.70A.106\(2\)](#)

<sup>31</sup> [RCW 43.155.070](#)

<sup>32</sup> [RCW 70.146.070](#)

<sup>33</sup> [RCW 36.70A.130\(7\)](#)

## Appeals of an adopted update ordinance or resolution

Any person or organization with legal standing can appeal a resolution or ordinance adopted during the periodic update process. Challenges to actions taken by fully-planning jurisdictions must be filed with the Growth Management Hearings Boards within sixty days of publication of final adoption. Challenges to actions taken by partially-planning jurisdictions are filed in Superior Court.

A legal challenge could potentially be filed on any legislative action taken to complete the update. However, a jurisdiction can reduce its risk of appeal by completing each of the basic actions described above and taking legislative action that clearly documents the process followed for each action, as well as the findings and conclusions of each action.

## IV. Grants for periodic updates

The Department of Commerce administers a grant program for counties and cities with upcoming periodic update deadlines. The grant can be used to cover most activities related to updating comprehensive plans and development regulations, such as staff time, consultant contracts, and the cost of providing public notice, printing, and copying.

A set grant amount is reserved for each jurisdiction based on population and the level of required GMA responsibilities. Once funding is approved each year by the Legislature, grants become available 18-24 months prior to each jurisdiction's periodic update deadline. For example, grants for counties and cities with a December 2011 deadline will be available starting in the Fall of 2009. See the [Commerce Grant Website](#) for more instructions and applications.

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WSDOT Minimum Requirements and Resources

Municipal Research Services Center planning [website](#)

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#### *Laws, rules, legal decisions*

[\*The Growth Management Act and related statutes\*](#)

[\*Growth Management Act rules\*](#)

[\*Growth Management Hearings Boards\*](#)

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